

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 2ND MARCH 2007 / 11TH PHALGUNA 1928

Crl.Rev.Pet.No. 944 of 2007(E)

CRA.61/2005 of ADDL. SESSIONS COURT(ADHOC)III, PATHANAMTHITTA
CC.875/2003 of JUDL.MAGISTRATE OF FIRST CLASS COURT-I,
PATHANAMTHITTA
.....

REVN. PETITIONER/APPELLANT/ACCUSED:

A.K.N.ASHRAF, S/O NAINAN KANNU RAWTHER,
SHAMILA MANZIL, ADIKATTUKULANGARA MURI,
PALAMEL VILLAGE, NOORANADU, ALAPPUZHA.

BY ADV. SRI.C.A.CHACKO
SMT.C.M.CHARISMA
SRI.N.A.SHAFAEEK

RESPONDENTS:

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1. A.R.GOPALAKRISHNA PILLAI, PLAMPARAMPUMALAYIL
KOHINOOR VEEDU, KUTTUR MURI & VILLAGE,
THIRUVALLA TALUK.
 2. THE STATE OF KERALA, REP.BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.BREEZE M.S.
SRI.D.KISHORE

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION
ON 02/03/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.944 of 2007

Dated this the 2nd day of March, 2007

ORDER

Revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for a period of six months and to pay a compensation of Rs.70,000/- to the complainant under Section 357(3) of Code of Criminal Procedure.

2. The counsel for the revision petitioner has only sought for modification of the sentence and time to make the payment. It is submitted that he is undergoing imprisonment since 1.2.2007. In the circumstances, sentence is modified to imprisonment of the period already undergone and to pay a compensation of Rs.70,000/- vide Section 357(3) of Code of Criminal Procedure and in default, to undergo simple imprisonment for four months. Revision petitioner is granted six months' time to pay the amount of compensation. He shall appear before Judicial First Class Magistrate Court-I, Pathanamthitta on 30.8.2007. The revision petitioner is ordered

to be released forthwith.

The Criminal Revision Petition is disposed of as above.

**K.R.UDAYABHANU,
JUDGE**

csl